



Order Filed on January 18, 2019  
by Clerk U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**RAS Citron, LLC**  
130 Clinton Road, Suite 202  
Fairfield, NJ 07004  
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Attorneys for Secured Creditor

Harold N. Kaplan HK0226

In Re:

**Kevin T. Haskins,**

**Debtor,**

**Yvonne J. Haskins,**

**Joint Debtor.**

Case No.: 18-27046-JNP

Chapter: 13

Hearing Date: December 27, 2018

Judge: Jerrold N. Poslusny Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF  
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby  
ORDERED.

**DATED: January 18, 2019**

A handwritten signature in black ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

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Secured Creditor: NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Lee Abt

Property Involved ("Collateral"): 1139 MacArthur Drive, Camden, NJ 08104

Relief sought:

- ☒ Motion for relief from the automatic stay
- ☐ Motion to dismiss
- ☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor is overdue for four months from September 1, 2018 through December 1, 2018.
- ☒ The Debtor is overdue for 4 payments from September 1, 2018 at \$715.20 per month.
- ☐ The Debtor is assessed for \_\_\_\_\_ late charges at \$ \_\_\_\_\_ per month.

Funds Held In Suspense \$2,145.60.

Total Arrearages Due \$715.20.

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$715.20. Payment shall be made by December 28, 2018.
- ☒ Beginning on January 1, 2019, regular monthly mortgage payments shall continue to be made in the amount of \$715.20.
- ☐ Beginning on \_\_\_\_\_, monthly cure payments shall be made in the amount of \$\_\_ for \_\_\_\_ months.
- ☐ The amount of \$\_\_ shall be capitalized in the Debtor's Chapter 13 plan. Debtor must file an Amended Plan, and Schedules I and J within fifteen (15) days of the entry of this Order. The debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order.

☐ This Order is incorporated into any Order confirming the plan. The Trustee is to pay the arrears identified in this Order.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: Nationstar Mortgage LLC d/b/a Mr. Cooper  
ATTN: Bankruptcy Dept.  
PO Box 619094  
Dallas, TX 75261-9741

■ Monthly cure payment: Nationstar Mortgage LLC d/b/a Mr. Cooper  
ATTN: Bankruptcy Dept.  
PO Box 619094  
Dallas, TX 75261-9741

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a

new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.


The fees and costs are payable:

- Through the Chapter 13 plan.

☐ To the Secured Creditor within \_\_\_\_\_ days.

☐ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.

  
\_\_\_\_\_  
Lee Abt, Esq.  
*Attorney for Debtor(s)*  
Date: 1/16/19

\_\_\_\_\_  
/s/ Harold N. Kaplan  
Harold N. Kaplan, Esq.  
*Attorney for Secured Creditor*  
Date: 1/16/2019